

UNITED STATES DISTRICT COURT
CENTRAL DISTRICT OF CALIFORNIA

SON THANH BUI,) Case No. CV 06-7769-DDP(RC)
)
Petitioner,)
) ORDER ADOPTING REPORT AND
vs.) RECOMMENDATION OF
) UNITED STATES MAGISTRATE JUDGE
ANTHONY HEDGPETH,¹)
)
Respondent.)
_____)

Pursuant to 28 U.S.C. Section 636, the Court has reviewed the
Petition and other papers along with the attached Report and
Recommendation of United States Magistrate Judge Rosalyn M. Chapman,
as well as petitioner's objections, and has made a de novo
determination.

IT IS ORDERED that (1) the Report and Recommendation is approved
and adopted; (2) the Report and Recommendation is adopted as the
findings of fact and conclusions of law herein; (3) all untimely
motions attached to petitioner's objections to the Report and

¹ Pursuant to Fed. R. Civ. P. 25(d), Anthony Hedgpeth has
been substituted as respondent.

1 Recommendation are denied; and (4) Judgment shall be entered denying
2 the petition for writ of habeas corpus and dismissing the action with
3 prejudice.
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5 This Court finds that any appeal would not be taken in good
6 faith, and that petitioner has not made a substantial showing that he
7 has been denied a constitutional right, for the reasons set forth in
8 the Report and Recommendation of the United States Magistrate Judge,
9 and accordingly, a certificate of appealability should not issue under
10 28 U.S.C. § 2253(c)(2) and Fed. R. App. P. 22(b). Slack v. McDaniel,
11 529 U.S. 473, 483, 120 S. Ct. 1595, 1604, 146 L. Ed. 2d 542 (2000);
12 Mayfield v. Calderon, 229 F.3d 895, 900 (9th Cir. 2000).
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14 IT IS FURTHER ORDERED that the Clerk shall serve copies of this
15 Order, the Magistrate Judge's Report and Recommendation and Judgment
16 by the United States mail on petitioner.
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18 DATED: January 29, 2010
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20 DEAN D. PREGERSON
21 UNITED STATES DISTRICT JUDGE
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